

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 06-15707-C

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT

JAN 24 2007

THOMAS K. KAHN
CLERK

DERON L. BARNETT,

Plaintiff-Appellant,

versus

REGIONS BANK,

Defendant-Appellee.

RECEIVED
2007 JAN 25 P 45
DEBRA P. HACKETT CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Appeal from the United States District Court for the
Middle District of Alabama

ORDER:

Appellant has filed a motion for leave to proceed in forma pauperis in order to appeal the district court's dismissal of his civil complaint. Appellant's filed a complaint against Regions Bank, alleging that approximately \$15,000.00 had been wrongfully taken from his account through forgery, but Regions Bank had offered to refund him only \$500.00. Appellant failed to show a basis for federal jurisdiction, however. His complaint did not raise an issue of federal law, see 28 U.S.C. § 1331, and he could not qualify for diversity jurisdiction because the amount in controversy was less than \$75,000.00, see 28 U.S.C. § 1332.

Accordingly, because the appeal is frivolous, appellant's motion for leave to proceed on appeal in forma pauperis is DENIED. See Pace v. Evans, 709 F.2d 1428 (11th Cir. 1983).

Frank M. Hull

UNITED STATES CIRCUIT JUDGE